

## **§ 177.23**

### **§ 177.23 Who may request a country-of-origin advisory ruling or final determination.**

A country-of-origin advisory ruling or final determination may be requested by:

(a) A foreign manufacturer, producer, or exporter, or a United States importer of merchandise,

(b) A manufacturer, producer, or wholesaler in the United States of a like product,

(c) United States members of a labor organization or other association of workers whose members are employed in the manufacture, production, or wholesale in the United States of a like product, or

(d) A trade or business association a majority of whose members manufacture, produce, or wholesale a like product in the United States.

### **§ 177.24 By whom request is filed.**

A request may be filed by an individual or organization listed in § 177.23 or by a duly authorized attorney or agent on behalf of the individual or organization. A request filed by a corporation shall be signed by a corporate officer, and a request filed by a partnership shall be signed by a partner.

### **§ 177.25 Form and content of request.**

(a) A request for an advisory ruling shall be in writing and shall contain such information as will enable Customs to provide the requester with the applicable principle of law or well established interpretation relating to the particular country of origin.

(b) A request for a final determination shall be in writing and shall contain the following information:

(1) The name of the requester, the requester's principal place of business, and a statement that the requester is authorized to file the request under the provisions of § 177.24;

(2) A description of the existing article for which a country-of-origin determination is requested;

(3) The country or instrumentality an article is claimed to be the product of;

(4) Such further information as will enable Customs to determine if an article is a product of a specific country or instrumentality, and;

(5) If applicable, the specific procurement for which the final determination is requested.

### **§ 177.26 Where request filed.**

The request shall be filed with the Director, Office of Regulations and Rulings, Headquarters, U.S. Customs Service, 1300 Pennsylvania Avenue, NW., Washington, DC 20229.

[T.D. 83-13, 48 FR 1189, Jan. 11, 1983, as amended by T.D. 99-27, 64 FR 13677, Mar. 22, 1999]

### **§ 177.27 Oral discussion of issues.**

Any party authorized to request a ruling under the provisions of § 177.23 may request an opportunity for oral discussion of the issues presented in the request. The oral discussion of issues will be governed by the provisions of § 177.4.

### **§ 177.28 Issuance of advisory rulings and final determinations.**

(a) Pursuant to a request for an advisory ruling which meets the requirements of this subpart, Customs will promptly issue an advisory ruling.

(b) Pursuant to a request for a final determination which meets the requirements of this subpart, Customs will promptly issue a final determination. If the request does not meet the requirements of this subpart Customs may decline to issue a final determination or may issue instead an advisory ruling.

(c) Requests for final determinations which include the information set forth in § 177.25(b)(5) (relating to a specific procurement) will be considered by Customs before all other requests (advisory rulings and final determinations).

### **§ 177.29 Publication of notice of final determinations.**

Notice of all final determinations shall be published in the FEDERAL REGISTER within 60 days of the date the final determination is issued.

### **§ 177.30 Review of final determinations.**

Any party-at-interest listed in § 177.22(d) may seek judicial review of a final determination within 30 days after publication of such determination

**Bureau of Customs and Border Protection, DHS; Treasury****§ 178.2**

in the FEDERAL REGISTER, and may seek judicial review of a refusal to issue a final determination within 30 days after such refusal. The Court of International Trade shall have exclusive jurisdiction to review a final determination or a refusal to issue a final determination made under this subpart.

**§ 177.31 Reexamination of final determinations.**

A party-at-interest, other than the party-at-interest which requested and received the initial final determination, may ask Customs to consider the matter anew and issue, on an expedited basis, a new final determination. Such a request shall specifically identify the previous final determination. Upon receipt of such a request, Customs will issue a new final determination within five working days of receipt of the request unless (a) the previous final determination was the subject of a contested lawsuit timely filed in the Court of International Trade under 28 U.S.C. 1581(e) or, (b) the merchandise at issue in the initial final determination was tendered and deemed responsive to the request for proposals or an invitation for bids in a competitive procurement subject to the Buy American Act (41 U.S.C. 10a *et seq.*) and a contract under such procurement was let. Any new final determination issued under this section shall be published in accordance with § 177.29 and is reviewable under § 177.30.

**PART 178—APPROVAL OF INFORMATION COLLECTION REQUIREMENTS**

Sec.

178.1 Purpose.

178.2 Listing of OMB control numbers.

AUTHORITY: 5 U.S.C. 301; 19 U.S.C. 1624; 44 U.S.C. 3501 *et seq.*

**§ 178.1 Purpose.**

This part sets forth the control numbers assigned to information collections of the Customs Service by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1980, Pub. L. 96-511. This part complies with the requirements of the Paperwork Reduction Act of 1980, and imple-

ments regulations promulgated by the Office of Management and Budget, (5 CFR 1320.7(f)(2), 1320.12(d) and 1320.13(j)) which require that agencies display a current control number assigned by the Director of the Office of Management and Budget for each agency information collection.

[T.D. 85-53, 50 FR 11849, Mar. 26, 1985]

**§ 178.2 Listing of OMB control numbers.**

19 CFR Section	Description	OMB control No.
§ 4.7a .....	Unique bill of lading identifier for inward manifests.	1515-0142
§ 4.7a(c)(4) .....	Transportation manifest (cargo declaration).	1651-0001
§§ 4.7b, 4.64, 122.49a, 122.49b, 122.49c, 122.75a, 122.75b.	Electronic manifest requirements for carriers transporting passengers and crew onboard vessels and aircraft.	1651-0088
§§ 4.10, 4.16, 4.30, 4.37, 4.39, 4.91, 10.60, 24.16, 122.29, 122.38, 123.8, 146.32, 146.34.	Application-Permit-Special License, Unlading-Lading, Overtime Services (Customs Form 3171).	1515-0013
§ 4.14 .....	Vessel repair declaration and entry.	1515-0082
§§ 4.20, 4.23, and 4.24.	Certification of payment of tonnage tax.	1515-0113
§ 4.37 .....	Notification regarding imported merchandise or baggage for which entry has not been made.	1515-0220
§ 4.37(c) .....	Preparation of delivery ticket for transfer of merchandise to general order.	1515-0224
§ 4.76 .....	Booking information for the Sea Carrier's Module of the AES.	1515-0221
§ 4.94a .....	Deferral of duty on large yachts imported for sale.	1515-0223
§ 4.97 .....	Application for foreign vessel to engage in salvage operation/report of salvage operation.	515-0132
§ 7.3 .....	Claim for duty-free entry of goods imported from U.S. insular possessions.	1515-0200
§ 10.1 .....	Declarations covering U.S. articles exported and returned without having been advanced in value or improved in condition.	1515-0194
§ 10.8 .....	Declarations covering articles exported for repairs or alterations and returned.	1515-0194
§ 10.8a(b)(1) ....	Declaration by person abroad who received and is returning articles to the U.S. that do not conform to samples or specifications.	1515-0108